

Minutes of Special Meeting (Study Session) of January 29, 2013

REGULAR MEETING

CALL TO ORDER 7:05 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Feierbach, Lieberman, Warden, Wozniak

COUNCILMEMBERS ABSENT: Braunstein

Staff Present: City Manager Scoles, City Attorney Rennie, Community Development Director de Melo, Finance Director Fil, Public Works Director Oskoui, Parks and Recreation Director Gervais, Chief Building Official Nolfi, City Clerk Cook

Discussion Regarding City-Owned Properties in the San Juan Canyon

Community Development Director de Melo described the City's acquisition of approximately 35 acres of property in the San Juan Canyon using proceeds from a loan from the Fleet Fund. He pointed out that the City has a history of a goal of preserving open space, including adoption of a slope density ballot measure to reduce density. He noted that under existing regulations, a maximum of four lots could be developed on Bishop Road, and two lots on Marsten Avenue.

Discussion ensued and members of the public spoke regarding this matter. The following is a summary of the comments made by the public.

- Keep all the property open space and do not build on any of it.
- It was wise to purchase the property.
- Acknowledgment that the City Council wants to preserve open space.
- Discussion regarding the 2003 survey regarding a potential ballot measure for purchase of open space and improvement to playing fields. 66 percent of those surveyed were willing to pay \$20 a year. Why wasn't this pursued?
- Belmont supports open space preservation
- Discussion regarding options to prevent any development including density transfer, forgiveness of the loan, donations.
- The City Council needs to balance needs with fiscal responsibility
- Consideration of a November 2013 ballot measure to preserve current open space and parks
- Request to deed the City-owned properties on the east side of the canyon immediately for open space
- Ensure that development does not result in incremental road development
- Not all options have been explored, including naming rights
- Transfer development rights to downtown where it's needed
- San Juan Canyon is a community asset
- Implement smart growth
- There is a disconnect between developing parcels and preserving open space
- Support for looking to see if the fleet fund doesn't really need to be paid back
- Support for an assessment to purchase the remainder of the open space

- Other cities adopting strategies regarding transferring density to downtown
- Significant resources needed to make open space usable, including use of volunteers
- Support for spending resources on other priorities such as sports fields and infrastructure needs
- Could support four homes as exchange for remainder of open space
- Not reasonable to forgive the loan
- City Council has been creative regarding open space preservation
- There was a potential for 150 homes on this property at one time
- Concern that transferring development rights could impact another neighborhood
- Concerns regarding the effect of the existing condition of the roads on property values
- Support for developing only the number of lots necessary to pay back the loan
- Concerns regarding the effect of additional homes on ingress/egress for fire vehicles.
- Support for selling individual lots only without using a developer
- Concerns regarding the creation of easements which could give other parcels the ability to develop

Discussion ensued regarding conservation easements.

Councilmember Lieberman stated that he has no desire to develop on the City-owned property other than those identified on Bishop Road and Marsten Avenue.

Discussion ensued regarding designating the property as permanent parkland.

Councilmember Feierbach described the history of the San Juan Canyon and adjacent Sugarloaf Mountain and noted that at one time there were 1,000 parcels with the potential for development. She explained that due to the lot merger, slope density, and Measure F, this number was reduced to 100 lots. She expressed support for five lots maximum. She cannot support forgiveness of the loan due to the fact that there are other needs in the City, such as the Sports Complex and Barrett, and the fleet fund needs to be maintained. She expressed support for a ballot measure to prevent future City Councils from ever developing the remainder of the open space. She also supports floor area transfer but noted that this program is voluntary. She stated that she supports only hiking trails, not bike trails, on this open space. She also commented regarding the types of conditional uses allowed in the HRO (Hillside Residential Open Space) and her desire to eliminate some of those uses.

Councilmember Lieberman clarified that he did not support the purchase of this property due to concerns regarding the requirement to sell some of the lots to preserve open space. He stated that much of this property was unlikely to have ever been developed. He expressed support for no development and pointed out the fiduciary responsibility the City Council has regarding the loan. He noted that the City Council has never had a policy discussion with input from the community regarding spending money on open space. He stated there are other options to backfill the deficit if all the proceeds are not realized. He expressed support for rezoning the remaining property as open space. He pointed out that a \$20 per year assessment per parcel would not yield sufficient revenue to be worthwhile.

Councilmember Warden stated that he supported the purchase of this land, the lot merger program, Measure F, and any other ways to save open space. He noted that many priorities in the City need resources. He commented that in 2003 there were competing ballot measures, including the library bond. He does not support forgiveness of the loan or floor area transfer. He pointed out that transferring density is not a short- or medium-term solution, and would only be effective if there were a proposed development in process. He noted that there is still an issue regarding remaining open space that is privately owned. He supports a ballot measure to make the remaining land permanent open space. He is willing to look at a parcel tax to buy land and to turf the Sports Complex, and he pointed out the need for a unified front from the soccer and baseball community in order for this to be successful. He expressed support for selling however many parcels are needed to get close to paying back the loan.

Mayor Wozniak stated that she attended the auction when the City purchased this property. She noted that she supported Measure F and the change in slope density. She expressed support for the lowest density development in order to pay back the loan. She pointed out that there was no policy decision made to spend money on open space, and the loan needs to be paid back. She does not support using a developer. She supports having the City do the engineering work and the option for a parcel tax to pay back some or all of the money, as well as for turfing fields. She also supports zoning the remainder of the properties as open space. She would like to have an ongoing dialog on other options. She expressed the need to move forward on this matter as there are other priorities for the City.

Councilmember Feierbach suggested the creation of three developable lots on Bishop Road, with no additional development if the proceeds come close to paying back the loan. She supported the potential of developing along Marsten Avenue only if the money is needed.

Councilmember Lieberman stated that he preferred no development on Marsten if possible. He expressed the need for entitlements on three lots on Bishop Road in order to eliminate risk and to get more money. He expressed support for an incremental approach.

Councilmember Warden expressed support for selling lots rather than creating a development. He expressed support for seeking an appraisal without the creation of a subdivision.

Mayor Wozniak expressed support for allocating resources for an appraisal and for engineering for minimal development on Bishop Road. She does not support developing on Marsten Avenue. She expressed support for the dedication of open space and suggested an aggressive marketing strategy for the developable lots.

Staff indicated that they would bring back alternatives that addressed the general direction provided by the City Council at either the second Council meeting in February or in early March.

ADJOURNMENT at this time, being 9:40 P.M.

Terri Cook
City Clerk

This meeting was not audio-recorded or videotaped.